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8 Attorneys for Appellant, Jeffrey E. Hoffman

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 10
 11 IN THE UNITED STATES DISTRICT COURT
 12 FOR THE NORTHERN DISTRICT OF CALIFORNIA

13 JEFFREY E. HOFFMAN,

14 Plaintiff,

15 vs.

16 THOMAS R. LLOYD, an individual,
 17 EDWARD L. BLUM, an individual, and
 18 DOES 1 through 20, inclusive,,

19 Defendants.

20 THOMAS LLOYD,

21 Cross-Plaintiff,

22 vs.

23 JEFFREY E. HOFFMAN, dba H&B
 24 PROPERTIES; H&B PROPERTIES, LLC;
 25 J. EDWARDS INVESTMENT GROUP,
 26 INC., and NORCAL FINANCIAL, INC.,

27 Cross-Defendants.

28 No. 3:07-CV-2417 MHP

Date: September 24, 2007
 Time: 2:00 p.m.
 Place: Courtroom 15
 18th Floor
 450 Golden Gate Ave.
 San Francisco, CA 94102
 Judge: The Hon. Marilyn Hall Patel

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 26 DECLARATION OF DENNIS D. DAVIS
 27 RELATING TO APPEAL BRIEF

28 I, DENNIS D. DAVIS, declare:

1. I am an attorney licensed to practice law in all courts of the State of California, and am

1 a member of the law firm of Goldberg, Stinnett, Davis & Linchey, A Professional Corporation,
 2 counsel for Jeffrey E. Hoffman, H&B Properties LLC, J. Edwards Investment Group, Inc. and Norcal
 3 Financial, Inc., and in such capacity, I am personally familiar with each of the facts stated herein, to
 4 which I could competently testify if called upon to do so in a court of law.

5 2. Mr. Goodrich has accused me of “doctoring” documents. I never doctored any
 6 documents, nor did I represent that handwritten notes on Mr. Hoffman’s declaration were made by
 7 Mr. Hoffman. Indeed, many of the exhibits and pleadings, marked as excerpts of record, contain
 8 handwritten notes, such as EOR-1, 2, 30 and 346. I have made no attempt to represent whose notes
 9 these are and in most cases, I do not know. Furthermore, I believe that anyone reading the document
 10 referenced by Mr. Goodrich could see that the handwritten interlineation is followed by a question
 11 mark and would reasonably assume that it was an attorney notation. The copy of the declaration I
 12 included in the excerpt of record is the copy I received from Mr. Pahl’s office, when I joined the case
 13 in midstream.

14 3. On June 26, 2007, this Court ordered, after an ex parte “emergency” motion, that
 15 appellants should reimburse Lloyd for any and all expenses incurred in the restoration of the property
 16 relating to the damages which Lloyd alleged had occurred in his “emergency” motion. In compliance
 17 with that order, I wrote to Donald Drummond, one of Mr. Lloyd’s attorneys, and asked him to supply
 18 us with evidence of damage and copies of any invoices. A copy of that June 27, 2007 letter, which
 19 was faxed to Mr. Drummond, is attached hereto as **Exhibit “A”**. I never received a response from
 20 Mr. Drummond, or from anyone else. Because of that lack of any response, I obtained a Bankruptcy
 21 Court order requiring Lloyd to turn over, among other things, all records relating to any such repairs
 22 on August 3, 2007. A copy of that order is attached hereto as **Exhibit “B”**. The order called for
 23 Lloyd to turn over documentation of any repairs on August 21, 2007. To date, no responsive
 24 documents have been turned over. If there was any damage caused relating to the “emergency”
 25 motion, it has still not been supplied to me.

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1 I declare under penalty of perjury that the foregoing is true and correct, and that this
2 declaration was executed on August 24, 2007 at San Francisco, California.
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4 /s/ DENNIS D. DAVIS
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